

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [19-md-02913-WHO](#)Case Name: In Re: Juul Labs, Inc., Marketing, Sales Practices

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEYS:	DEFENSE ATTORNEYS:
William H. Orrick	Dena Sharp, Andrew Kaufman, and Kirk Goza	Beth Wilkinson, Brian Stekloff, Moira Penza
TRIAL DATE: 05/04/2023	REPORTER:	CLERK:
8:02 a.m. to 1:41 p.m. 5 hours and 39 minutes	Debra Pas	Jean Davis

PLF NO.	DEF NO.	TIME OFFERED	ID	REC	DESCRIPTION
		8:02 a.m.			Court in session (jurors out) Counsel agree to conduct attorney conference off record. Schedule discussed, Jury instruction conference set for Monday, May 8, 2023 at 2:00 p.m. Estimated schedule for closing arguments discussed. Objections to exhibits and appropriate scope of examination
		8:17 a.m.			Court in recess
		8:35 a.m.			Court in session Plaintiff direct examination of Judith Prochaska continues (Goza)
3409		8:55 a.m.	X	X	Demonstrative as to Avail (objection overruled; conditionally admitted)
869		9:00 a.m.	X	X	04/25/2018 JUUL Labs Announces Comprehensive Strategy to Combat Underage Use
6375		9:08 a.m.	X	X	Statement from FDA Commissioner Gottlieb on new steps to address epidemic of youth e-cigarette use
3277		9:11 a.m.	X	X	10/17/2018 Email from Natasha Knight to Jennifer Hunter et al. Re: UTP Focus Group Study: Final Report & Draft Strategic Considerations. Underage Tobacco Prevention Sept. 2018
3308		9:24 a.m.	X	X	(Only 1-page Graph published) Altria E-Vapor Update August 2018 BOD (objection overruled; conditionally admitted)
		9:30 a.m.			Demonstrative offered for admission; admitted conditionally
374		9:31 a.m.	X	X	Altria Client Services Presentation titled: Business Review E-Vapor, October 16, 2018
24		9:50 a.m.	X	X	2019 National Youth Tobacco Survey Shows Youth e-Cigarette Use at Alarming Levels, Infographic - FDA 12/31/2019
		9:58 a.m.			Court in recess
		10:15 a.m.			Court in session (jurors present) Defense cross examination of Judith Prochaska (Penza)

Case No: 19-md-02913-WHOCase Name: Madison County Publice Schools v. In Re: Juul Labs, Inc., Marketing, Sales PracticesDate: May 4, 2023Courtroom Deputy: Jean Davis - Court Reporter: Debra Pas**EXHIBIT and WITNESS LIST CONTINUED**

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION
	6121	10:42 a.m.	X	X	Email from Garnick to Munno and Terry attaching Altria BOD presentation re regulatory update (no objection)
	6130	10:59 a.m.	X	X	Email from Wilson to Buell and Murillo attaching Deutsche Bank report sent to FDA
	7169	11:11 a.m.	X		California Youth Smoking Report (Published to jurors without objection)
	6562	11:29 a.m.	X	X	SFUSD Budget Report Status - Grant award notification (no objection)
	2899	11:35 a.m.	X	X	10/07/2022 Cooper M, et al. Notes from the Field: E-cigarette Use Among Middle and High School Students - United States, 2022
		11:40 a.m.			Court in recess
		11:56 a.m.			Court in session
		11:59 a.m.			Plaintiff redirect of Judith Prochaska (Goza)
36		12:09 p.m.	X	X	03/12/2015 Email from Gal Cohen to Sarah Richardson Re: IOM recommends 21yo be minimum age for tobacco (no objection)
3295		12:21 p.m.	X	X	10/18/2018 Memorandum of Meeting Office of the Commissioner. External Meeting: Altria Group October 18, 2018 - 10:15a.m. - 11:00 a.m. White Oak Camp
		12:24 p.m.			Witness excused
		12:25 p.m.			Testimony of Jose Luis Murillo by way of video deposition excerpts
		12:45p.m.			Plaintiff announces exhibits admitted per previous stipulated order of the Court
3303			X	X	3/26/2019, 10/25/2018, 11/9/2018, 1/6/2019, 2/8/2019, Correspondence between Altria and FDA
3359			X	X	Greenleaf Health Diligence Team Project Tree
		12:46 p.m.			Plaintiff direct examination of Kaya Lehr-Love
		1:00 p.m.			Defense waives cross examination
		1:09 p.m.			Testimony of Kaitlin Longest presented by way of video deposition excerpts
		1:38 p.m.			Plaintiff announces exhibits admitted per previous stipulated order of the Court
6302		1:38 p.m.		X	Chart of Kaitlin Longest's positions over time
713		1:38 p.m.		X	01/10/2019 Email from Brian Blaylock to 'tim@juul.com' Re: Altria presentations

716		1:38 p.m.		X	07/19/2019 Email from Kaitlin Longest to Theodore Edlich Re: JUUL Update for 7/22/19
720		1:38 p.m.		X	Statement of Work #18 executed between Altria Client Services and JUUL Labs Re: Direct Marketing and Database Support Services - 07/03/2019
721		1:39 p.m.		X	September DM 1.pdf "Nicotine is an addictive chemical".
724		1:39 p.m.		X	02/22/2019 Email from JUUL to Jacqueline Tu Re: Meet JUUL, a satisfying alternative to Cigarettes
728		1:39 p.m.		X	04/06/2020 Email from Jacqueline Tu to Nicole Baumstark and Lindsey Masouras Re: FINAL JUUL 2019 DM and EM Campaign Updates
539		1:39 p.m.		X	Statement of Work #5, Fixture and Sales Support Services, Altria Group and JLI - 1/29/2019
540		1:39 p.m.		X	SOW #4, Sales Support Services - Altria Group and JLI - 1/29/2019
43		1:39 p.m.		X	2/12/2019 Statement of Work #6 - Sales Support Services
733		1:39 p.m.		X	02/15/2019 Email from T.J. Edlich to KC Crosthwaite Re: JUUL Integration
95		1:39 p.m.		X	03/22/2019 Email from Kaitlin Longest to Kevin Crosthwaite and T.J. Edlich Re: JUUL Weekly Update
734		1:39 p.m.		X	Press Release titled: "Altria Makes \$12.8 billion Minority Investment in JUUL to Accelerate Harm Reduction and Drive Growth" - Business Wire - 2018
		1:40 p.m.			Jurors excused
		1:41 p.m.			The Court requests that counsel provide updates and revisions to the proposed jury instructions by Monday. Court in recess

Plaintiff time at start of day: 15 hours, 56 minutes
Time used 05/04/2023: 2 hours, 53 minutes
Time remaining: 13 hours, 3 minutes

Defendant total time: 31 hours, 10 minutes
Time used 05/04/2023: 1 hour, 37 minutes
Time remaining: 29 hours, 33 minutes